

### **Remarks**

In the Office Action mailed December 8, 2008, the Examiner rejected Claims 1-3, 5-8, and 19 Under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 2-3 and 5-8 were rejected as inheriting the indefinites from Independent Claim 1. Claims 1-3, 5-8, 10-12, and 14-19 were rejected under 35 U.S.C. § 102(b) as being anticipated by Barndt (US 6,275,350).

Claims 1, 3, 5, 6, 7, 10, 12, 14, 16, and 19 have been amended. Claims 9, 17-18, and 20 have been canceled without prejudice. Claims 21-24 have been added and are believed to read on the previously elected Species I.

Reconsideration and re-examination of the application as amended considering the following remarks is respectfully requested.

#### **Claim Rejections - 35 U.S.C. § 112**

The Examiner rejected claims 1-3, 5-8, and 19 under 35 U.S.C. § 112(2) as being indefinite. Applicant has amended the claims to more particularly point out the invention to obviate the Examiner's rejection.

#### **Claim Rejections - 35 U.S.C. § 102(b)**

Claims 1-3, 5-8, 10-12, and 14-19 were rejected under 35 U.S.C. § 102(b) as Being Anticipated by Barndt (US 6,275,350). Applicant respectfully disagrees and traverses the Examiner's rejection.

Similar to the references previously relied on by the Examiner, Barndt '350 does not disclose a number of features of Applicant's claims and therefore fails to anticipate the claimed invention. In particular, Barndt does not disclose a plurality of read/write heads as disclosed and claimed by Applicant.

As described in Applicant's specification and illustrated in the Figures, such as Fig 4A, for example, Applicant's claimed invention includes an assembly 402a having a plurality of read/write heads 406a - 410a each associated with a corresponding one of the storage bands on storage medium 404. Note that each of the read/write heads is displaced in the (horizontal) direction of travel of the storage medium 404 relative to an adjacent read/write head, i.e. read/write head 406a is displaced relative to head 408a, which is displaced relative to head 409a, etc. Each read/write head 408a, may include a plurality of read/write elements 412a-412h associated with corresponding data channels. The read/write elements may be configured as illustrated with an R/W adjacent a W/R element to provide for read after write operation as the tape moves in either direction as described in the specification on p. 11, ll. 9-14, for example.

Barndt '350 discloses only a single read/write head 16 with multiple transducer pairs 34-46 (i.e. read/write elements as referred to by Applicant). Barndt discloses that each transducer pair 34-46 includes at least one write transducer 48-60 and at least one read transducer 62-74 (Col 6, ll. 21-24). Barndt does not disclose that the transducers can be arranged as disclosed and claimed by Applicant so that the storage medium can travel in either direction while providing read after write operation. To the contrary, Barndt discloses that "the tape 28 must travel from right to left during write operations, if the read heads 62-74 are to be used to simultaneously verify the recording of data by the write heads 48-60." (Col. 6, ll. 24-27). The Examiner's interpretation of a read/write being equivalent to a write/read configuration "dependent upon viewer perspective" is untenable and directly contrary to the disclosure of Barndt.

As such, Applicant's claimed invention is patentable distinguishable over the prior art relied upon by the Examiner. For at least the reasons above, the Examiner is respectfully requested to reconsider and withdraw the rejection for anticipation based on Barndt '350.

**Summary**

Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicant believes that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. The Examiner is requested to contact the undersigned to discuss resolution of any remaining issues necessary to place this application in condition for allowance.

The fee of \$130 for a one-month extension of time has been paid upon filing. No additional fees are believed to be due as a result of filing this paper. However, please charge any additional fees or credit any overpayments as a result of the filing of this paper to our **Deposit Account No. 02-3978**.

Respectfully submitted,

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